

**Anil Kumar R vs State of Kerala**

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**SooperKanoon Citation :** [sooperkanoon.com/1331721](https://sooperkanoon.com/1331721)

**Court :** Kerala

**Decided On :** May-24-2023

**Judge :** Honourable Mr.Justice V.G.Arun

**Appeal No. :** OP(Crl.)/30/2023

**Appellant :** Anil Kumar R

**Respondent :** State of Kerala

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN  
WEDNESDAY, THE 24TH DAY OF MAY 2023 / 3RD JYAISHTA, 1945  
AGAINST THE ORDER/JUDGMENT IN MC 232/2021 OF FAMILY  
COURT,KOLLAM PETITIONER/S: ANIL KUMAR R AGED 49 YEARS  
S/O. RAVEENDRAN NAIR, RESIDING AT SARAS ELIVANTHIYIL  
VEEDU, SOWHARDHA NAGAR-86, KILIKOLLOOR P.O., KOLLAM-,  
PIN - 691004 BY ADVS. S.SREEKUMAR (KOLLAM) K.VIJAYAN  
NAMITHA RAJESH RESPONDENT/S:

1 STATE OF KERALA REPRESENTED BY THE PUBLIC  
PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM, PIN -

682031 2 LEKSHMI R AGED 38 YEARS W/O. ANIL KUMAR R, RESIDING AT LEKSHMISAILAM, P.K. NAGAR-175, PATTATHIL KAVU, VADAKKEVILA.P.O., KOLLAM, 3 RAGHURAM AGED 11 YEARS (MINOR) S/O. ANIL KUMAR R, RESIDING AT LEKSHMISAILAM, P.K. NAGAR-175, PATTATHIL KAVU, VADAKKEVILA.P.O., KOLLAM REPRESENTED BY MOTHER AND NEXT GUARDIAN LEKSHMI, BY ADV K.S.MANU (PUNUKKONNOOR)

OTHER PRESENT: SR.PP.RENJITH GEORGE THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 24.05.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

## **JUDGMENT**

Dated this the 24th day of May, 2023 The petitioner is the respondent in M.C No. 232/2021 on the files of the Family Court, Kollam. The maintenance case is filed by respondents 2 and 3. Along with the maintenance case, respondents 2 and 3 filed C.M.P No.51/2022 seeking interim maintenance. In that petition, Ext.P1 order was passed by the Family Court directing the petitioner to pay interim maintenance at the rate of Rs.5000/- every month. This original petition is filed challenging the interim maintenance order. 2.While admitting this original petition and granting interim order, the petitioner was directed to deposit the arrears of maintenance calculated at the rate of Rs.3500/- and Rs. 3000/-. It is now reported that the arrears of maintenance, calculated at the rate ordered by this court, has been paid. In such circumstances, it will be more appropriate to maintain the interim order and direct the Family court to dispose the maintenance case in a time bound manner, rather than delving into the contentious issues, which may have a bearing on the final decision to be taken in the maintenance case. The original petition is hence disposed of, maintaining the interim order and directing the petitioner to pay monthly maintenance at the rate of Rs.3500/- and Rs.3000/-. The Family Court Kollam shall take earnest efforts to decide M.C No.232/2021 within three months of receipt of a copy of this judgment. Sd/- V.G ARUN JUDGE SJ APPENDIX OF OP(CRL.) 30/2023 PETITIONER EXHIBITS Exhibit-P1 TRUE COPY OF THE ORDER C.M.P. NO. 51/2022 IN M.C. NO. 232/2021 DATED

28.10.2022 OF FAMILY COURT, KOLLAM Exhibit P2 THE TRUE COPY OF THE  
WAGE SLIP OF THE PETITIONER, DATED 01.12.2022

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